

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA)
)
)
VS.) CRIMINAL ACTION NO.
) B-18-CR-8
)
HENRY MCINNIS)

SENTENCING HEARING
BEFORE THE HONORABLE ROLANDO OLVERA
FEBRUARY 3, 2021
(VIA VIDEO TELECONFERENCE)

A P P E A R A N C E S

FOR THE UNITED STATES:

MR. ANDREW SWARTZ
MR. JACOB FOSTER
ASSISTANT UNITED STATES ATTORNEY
BROWNSVILLE, TEXAS 78520

FOR THE DEFENDANT HENRY MCINNIS:

MR. ED CYGANIEWICZ
ATTORNEY AT LAW
1000 E. Madison Street
Brownsville, Texas 78520



1 Counts one through seven is 120 months each
2 to run concurrent.

3 Count eight and eleven, the Court will
4 sentence the Defendant to 180 months in each count to
5 run concurrent. That's 15 years.

6 All nine counts one through seven and eight
7 and eleven shall be set -- shall have a supervised
8 release term of three years to run concurrent.

9 Mr. McInnis, you need to listen patiently as
10 I read the terms of supervised release into the record,
11 this may take some time.

12 All right. Within 72 hours of release from
13 the custody of the Bureau of Prisons, you shall report
14 in person to the probation office in the district in
15 which you are released. While on supervised release,
16 you shall not commit another federal, state, or local
17 crime. You shall not illegally possess a controlled
18 substance and shall refrain the unlawful use of a
19 controlled substance. You must not own, possess, or
20 have access to a firearm, ammunition, destructive
21 device, or any other dangerous weapon. You must
22 cooperate in the collection of DNA sample as authorized
23 by law. You must not communicate or otherwise interact
24 with the codefendants and/or co-conspirators in this
25 case. You must provide the probation office with access

1 to any requested financial information and authorize the
2 release of any financial information. The probation
3 office may share financial information with the U.S.
4 Attorney's Office. You must not incur new credit
5 charges or open additional lines of credit without the
6 approval of the probation officer. Court finds that you
7 do not have the ability to pay a fine, the Court will
8 waive the fine in this case.

9 Before I -- and, forgive me, counsel, I did
10 not address this as part of the PSR but there's a
11 paragraph here asking for restitution in the amount of
12 approximately 124 million.

13 MR. SWARTZ: Yes, Your Honor.

14 MR. CYGANIEWICZ: Judge, we'd ask for the
15 money judgment, if anything, be -- be ordered for
16 restitution, the amount.

17 THE COURT: All right. The Court will
18 waive the -- waive the restitution amount, however, the
19 Court will enforce the money judgment as I've already
20 previously stated. And the prev -- the -- the money
21 judgment, obviously, is the \$190,000 figure.

22 The -- and we do have the remaining \$100
23 assessment for each count for \$900. He is a U.S.
24 citizen, Mr. Swartz, I'm assuming you want that to be
25 assessed, correct?

1 MR. CYGANIEWICZ: Thank you, Your Honor.

2 MR. SWARTZ: Thank you, Your Honor.

3 MR. CYGANIEWICZ: Be excused?

4

5 REPORTER'S CERTIFICATE

6

7 I certify that the foregoing is a correct transcript
8 from the record of proceedings in the above-entitled
9 matter.

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12

/s/ Sheila E. Perales.

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SHEILA E. HEINZ-PERALES

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CSR RPR CRR

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